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UNITED STATES DISTRICT COURT
DISTRICT OF OREGON
PORTLAND DIVISION

DON'T SHOOT PORTLAND, a nonprofit corporation, in its individual capacity, NICHOLAS J. ROBERTS, in an individual capacity and on behalf of themselves and all others similarly situated, MICHELLE "MISHA" BELDEN, in an individual capacity and on behalf of themselves and all others similarly situated, ALEXANDRA JOHNSON, in an individual capacity and on behalf of themselves and all others similarly situated,

3:20-cv-00917-HZ

DECLARATION OF BRENT TAYLOR

PLAINTIFFS,

v.

CITY OF PORTLAND, a municipal corporation, and MULTNOMAH COUNTY, a political subdivision of the State,

DEFENDANTS.

I, Officer Brent Taylor, declare as follows:

1. I have been employed as a police officer by the Portland Police Bureau for nine and a half years. I am currently assigned to East Precinct patrol. I also serve as grenadier for

Portland Police Bureau's Rapid Response Team ("RRT"). I have been a member of RRT for six years. I have been a grenadier for more than two years.

2. On June 30, 2020, I was assigned to RRT Delta Squad as a grenadier. I was aware that night that the City was subject to two temporary restraining orders regarding PPB's use of force at protests. One related to when CS gas and OC gas could be deployed. The second limited the use of other less lethal munitions, including FN303s and 40MM less lethal munitions.

3. At approximately 9:10 p.m., I responded with Delta Squad to the Portland Police Association building ("PPA Building"). A couple of Oregon State Police ("OSP") Mobile Response Team ("MRT") squads had staged at the PPA Building before we arrived. Not long after they arrived, I heard over the radio that OSP MRT had several projectiles thrown at them by individuals in the crowd.

4. When I arrived, I observed approximately 200 protesters in the street. Prior to our arrival, it was my understanding that the PPB sound truck had announced that the gathering was an unlawful assembly and had directed people to move east on N Lombard Street. I did not observe the crowd moving east. As we began to move the group east and reopen the street to vehicular traffic, I observed several individuals in the back of the crowd throw water bottles, rocks, cans of soda and other items at officers. I also observed people roll dumpsters into the streets, which I was concerned may be used to run into the police line.

5. Near the intersection of N Lombard Street and N Campbell Street, I observed protesters throwing projectiles at officers and picking up items to throw at officers. I deployed my FN303 at three or four individuals who were throwing objects. These rounds were only deployed in direct response to an individual target engaged in active aggression to stop them from throwing items or engaging dangerously with officers.

6. Later, while officers were performing a dynamic movement to get the crowd to move east, I observed a white male wearing a helmet in front of me. He was carrying a shield that was approximately 2 feet tall and 1.5 feet wide. The individual appeared to be trying to stop

police from moving forward. I yelled to the individual to move back and when he did not, I shoved him back toward the crowd. He ran back at me again with his shield, and I pushed him back another time.

7. During this same dynamic movement, I observed officers attempting to take protesters into custody. I observed other protesters attempting to unarrest the individuals in custody. I deployed my FN303 at the specific individuals who were attempting to pull individuals out of custody. I deployed approximately 15 rounds on two or three protesters who attempted to unarrest others by pulling them away from officers making arrests.

8. After officers finished taking individuals into custody, PPB RRT disengaged. I deployed a canister of smoke, to provide some protection and allow officers to get onto vehicles. I observed a couple of individuals kick canisters or pick them up to throw them back. To prevent these individuals from using the canister pieces as projectiles, I deployed my FN303 at targeted at only the individuals who were attempting to throw these back at the police line.

9. At approximately 10:00 p.m., I observed an officer taking another person into custody. A white female in all black clothing ran up and attempted to unarrest the individual who was being taken into custody. I deployed my FN303 at the person's lower extremity to stop her from continuing to pull the individual out of custody. I then took the female who had attempted the unarrest into custody.

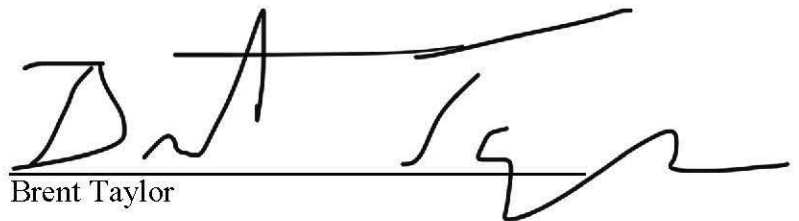
10. While these custodies were being processed, individuals in the crowd again threw dozens of bottles, rocks, and cans of beer. There were also individuals shining green laser pointers at officers' eyes. I deployed my FN303 and impacted several individuals who I witnessed throwing bottles and other projectiles at officers. At around this time, the incident commander declared a riot, and I heard the PPB sound truck announce that it had become a riot. At around this time I heard over the radio that an OSP MRT trooper had been struck with a rock and had to receive medical attention. During this time, I was struck in the left leg with a rock and later I was struck with a bottle.

11. Most of the individuals shining green lasers were too far into the crowd to effectively address them with an FN303. However, I did observe one individual on the side of the street shining a green laser pointer. Because of his location, I was able to deploy 4 or 5 FN303 pava round.

12. I make this declaration in support of Defendant City of Portland's Response to Plaintiffs' Amended Motion for Finding of Contempt and for Sanctions Against Defendant City of Portland.

I hereby declare that the above statement is true to the best of my knowledge and belief, and that I understand it is made for use as evidence in court and is subject to penalty for perjury.

DATED: 09/03/2020 _____


Brent Taylor